

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

TISHIA A. HARLAN,)
)
)
Plaintiff,)
)
)
v.) **Case No. 13-CV-672-PJC**
)
)
CAROLYN W. COLVIN,)
Acting Commissioner of the)
Social Security Administration,)
)
)
Defendant.)

OPINION AND ORDER

On February 9, 2015, this Court reversed the decision of the Commissioner and remanded this case for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). (Dkt. #24 and #25). Pursuant to Plaintiff's Motion for Attorney Fees (Dkt. #26) and Defendant's Response (Dkt. #27), the parties have agreed that an award of fees and expenses is appropriate pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The parties have agreed that an award in the total amount \$5,075.68, representing \$4,627.20 in fees for 24.50 hours of attorney work performed and \$448.48 in expenses, in this case is appropriate. The Court has reviewed the pleadings and finds that Plaintiff Tishia A. Harlan is the prevailing party and the fees and expenses sought are reasonable.

THEREFORE IT IS ORDERED that Plaintiff be awarded a total of \$5,075.68 in care of her counsel, representing EAJA attorney fees in the amount of \$4,627.20 and expenses in the amount of \$448.48. If attorney fees are also awarded under 42 U.S.C. § 406(b) of the Social

Security Act, Plaintiff's counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

DATED this 26th day of May 2015.



Paul J. Cleary
United States Magistrate Judge